

Message

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**From:** Regional Partnerships & Operations [RegionalOperations@epa.gov]  
**Sent:** 1/4/2023 7:17:14 PM  
**To:** Leadership\_Regional\_Administrators [Leadership\_Regional\_Administrators@epa.gov]; Air Division Directors and Deputies [Air\_Division\_Directors\_and\_Deputies@epa.gov]; Career Public Affairs Directors [Career\_Public\_Affairs\_Directors@epa.gov]  
**CC:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Niebling, William [Niebling.William@epa.gov]; Millett, John [Millett.John@epa.gov]; Dunkins, Robin [Dunkins.Robin@epa.gov]; Sasser, Erika [Sasser.Erika@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]; Hooper, Daniel [hooper.daniel@epa.gov]; Pirzadeh, Michelle [Pirzadeh.Michelle@epa.gov]; Nitsch, Chad [Nitsch.Chad@epa.gov]; Ackerman, Stephanie [Ackerman.Stephanie@epa.gov]; Rivera, Keylin [Rivera.Keylin@epa.gov]; Sharpe, Sarah [Sharpe.Sarah@epa.gov]; Nicholson, John [Nicholson.John@epa.gov]; Groarke, Jack [Groarke.Jack@epa.gov]  
**Subject:** Materials: Regional Administrators Meeting w ARDs+PADs: PM NAAQS Announcement  
**Attachments:** PM Maps - 2022 proposal.pdf; Fine Particle Concentrations for Counties with Monitors.pdf; Projected Fine Particle Concentrations for Counties with Monitors in 2032.pdf; Regional Talking Points.docx; PM NAAQS 2022 - QAs - 1.4.23.docx; PM2.5 proposal tick tock 1-4 version (1).docx; PM NAAQS Comms Plan 2022\_as of 1.4.23 (1).docx

All,

Attached are materials for today's OAR briefing on the PM NAAQS Announcement for RAs, Air DDs, and PADs.

These are the latest internal versions of PM proposal rollout materials. OAR will go through the rollout tick-tock and allow time for questions. The maps and lists (in pdf) haven't changed since last year. The talking points are comprehensive and consistent with what HQ will be using both pre- and post-announcement. They can be used for both heads up and follow up calls, and there are sections that folks may want to include or skip, depending on who's on the other end of the call. Folks may prefer to use the key points in the comms plan, since they're shorter. That's perfectly OK, too.

Thank you.

Message

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**From:** Iglesias, Ariel [Iglesias.Ariel@epa.gov]  
**Sent:** 4/3/2023 4:34:02 PM  
**To:** Glenn, Olivia [Glenn.Olivia@epa.gov]; Garcia, Lisa [Garcia.Lisa@epa.gov]  
**CC:** Mugdan, Walter [Mugdan.Walter@epa.gov]; Guerrero, Carmen [guerrero.carmen@epa.gov]; Font, Jose [Font.Jose@epa.gov]; Mears, Mary [Mears.Mary@epa.gov]; Mitchell, Judy-Ann (she/her/hers) [Mitchell.Judy-Ann@epa.gov]; Simon, Paul [Simon.Paul@epa.gov]; Ruvo, Richard (he/him/his) [Ruvo.Richard@epa.gov]  
**Subject:** For RA's Input - Community Letter re AES  
**Attachments:** PR Community Letter to EPA re AES 033023.pdf

Lisa and Olivia,

Please see the email below from Barry/Ann/ Cliff's Special Assistant checking with ORCR and Region 2, if we'd be ok with OLEM meeting with EarthJustice re: AES/CCR.

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

I'd like to confirm if you'd be comfortable with this approach before proposing it to OLEM. We discussed this recommendation in the senior staff meeting earlier today, and we were all in agreement that the next step was to running it by you.

Thanks, and please let me know if you have any questions. Safe travels.

Ariel

---

**From:** Brooks, Becky <Brooks.Becky@epa.gov>  
**Sent:** Friday, March 31, 2023 5:35 PM  
**To:** Iglesias, Ariel <Iglesias.Ariel@epa.gov>; OLEM ORCR IO <OLEMORCRIO@epa.gov>  
**Cc:** Hilosky, Nick (he/him/his) <Hilosky.Nick@epa.gov>; Huggins, Richard <Huggins.Richard@epa.gov>; DeRobertis, Cecilia <DeRobertis.Cecilia@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>  
**Subject:** FW: Community Letter re AES

OLEM is considering taking this meeting, with Region 2 and ORCR included. Please let us know if you would be ok with a meeting. Folks here are going to read the letter in full, as there may be other AAships that should be included. Have a good weekend. Becky

*Becky Brooks*  
*Special Assistant*  
*Office of Land and Emergency Management*  
*U.S. Environmental Protection Agency*  
*(cell) 202-281-9653*  
*(office) 202-566-2762*

---

**From:** Hoskinson, Carolyn <Hoskinson.Carolyn@epa.gov>  
**Sent:** Thursday, March 30, 2023 8:52 PM  
**To:** Villa, Clifford <Villa.Clifford@epa.gov>; Hilosky, Nick (he/him/his) <Hilosky.Nick@epa.gov>; Brooks, Becky

<Brooks.Bekky@epa.gov>

**Cc:** Breen, Barry <Breen.Barry@epa.gov>; Heard, Anne <Heard.Anne@epa.gov>; OLEM ORCR IO <OLEMORCRIO@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>; DeRobertis, Cecilia <DeRobertis.Cecilia@epa.gov>; Huggins, Richard <Huggins.Richard@epa.gov>  
**Subject:** Fwd: Community Letter re AES

I noticed that Cliff, Nick, and Becky were not included on the original email, so forwarding to you.

Would the OLEM IO like ORCR to develop an email response to this letter from Earthjustice?

Sent from my iPhone

Begin forwarded message:

**From:** "Iglesias, Ariel" <Iglesias.Ariel@epa.gov>  
**Date:** March 30, 2023 at 4:34:02 PM EDT  
**To:** "Hoskinson, Carolyn" <Hoskinson.Carolyn@epa.gov>, "Barringer, Jody" <Barringer.Jody@epa.gov>, "Crossland, Andy" <Crossland.Andy@epa.gov>, "DeRobertis, Cecilia" <DeRobertis.Cecilia@epa.gov>, "Huggins, Richard" <Huggins.Richard@epa.gov>  
**Cc:** "Krejcik, Krystal" <krejcik.krystal@epa.gov>, "Mack, Andrew" <mack.andrew@epa.gov>, "Mitchell, Judy-Ann (she/her/hers)" <Mitchell.Judy-Ann@epa.gov>, "Conetta, Benny" <Conetta.Benny@epa.gov>  
**Subject:** FW: Community Letter re AES

Folks – FYI.

---

**From:** Mychal Ozaeta <mozaeta@earthjustice.org>  
**Sent:** Thursday, March 30, 2023 4:24 PM  
**To:** Breen, Barry <Breen.Barry@epa.gov>; Heard, Anne <Heard.Anne@epa.gov>  
**Cc:** Garcia, Lisa <Garcia.Lisa@epa.gov>; Iglesias, Ariel <Iglesias.Ariel@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>; Lisa Evans <levans@earthjustice.org>; Christine Santillana <csantillana@earthjustice.org>; Jose Rivera <Ex. 6 Personal Privacy (PP)> Víctor Alvarado <Ex. 6 Personal Privacy (PP)> Laura Arroyo <larroyo@earthjustice.org>; Lorena Velez <lvelez@earthjustice.org>  
**Subject:** Community Letter re AES

Mr. Breen and Ms. Heard,

On behalf of the undersigned groups, please see the attached letter formally requesting a meeting with EPA to continue discussions regarding significant coal ash contamination issues related to the AES coal plant in Guayama, Puerto Rico.

Best,

Mychal Ozaeta (he/him)  
Senior Attorney  
Earthjustice  
707 Wilshire Blvd., Suite 4300  
Los Angeles, CA 90017  
T: 213-766-1069  
[earthjustice.org](http://earthjustice.org)

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If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.  
If you think that you have received this email message in error, please notify the sender by reply email and  
delete the message and any attachments.*

Message

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**From:** Iglesias, Ariel [Iglesias.Ariel@epa.gov]  
**Sent:** 4/3/2023 7:15:42 PM  
**To:** Garcia, Lisa [Garcia.Lisa@epa.gov]; Glenn, Olivia [Glenn.Olivia@epa.gov]  
**CC:** Mugdan, Walter [Mugdan.Walter@epa.gov]; Guerrero, Carmen [guerrero.carmen@epa.gov]; Font, Jose [Font.Jose@epa.gov]; Mears, Mary [Mears.Mary@epa.gov]; Mitchell, Judy-Ann (she/her/hers) [Mitchell.Judy-Ann@epa.gov]; Simon, Paul [Simon.Paul@epa.gov]; Ruvo, Richard (he/him/his) [Ruvo.Richard@epa.gov]  
**Subject:** RE: For RA's Input - Community Letter re AES

Will do. Thank you.

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**From:** Garcia, Lisa <Garcia.Lisa@epa.gov>  
**Sent:** Monday, April 3, 2023 2:59 PM  
**To:** Iglesias, Ariel <Iglesias.Ariel@epa.gov>; Glenn, Olivia <Glenn.Olivia@epa.gov>  
**Cc:** Mugdan, Walter <Mugdan.Walter@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>; Font, Jose <Font.Jose@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; Mitchell, Judy-Ann (she/her/hers) <Mitchell.Judy-Ann@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; Ruvo, Richard (he/him/his) <Ruvo.Richard@epa.gov>  
**Subject:** RE: For RA's Input - Community Letter re AES

## Ex. 5 Deliberative Process (DP)

Thanks,  
Lisa G

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**From:** Iglesias, Ariel <Iglesias.Ariel@epa.gov>  
**Sent:** Monday, April 3, 2023 12:34 PM  
**To:** Glenn, Olivia <Glenn.Olivia@epa.gov>; Garcia, Lisa <Garcia.Lisa@epa.gov>  
**Cc:** Mugdan, Walter <Mugdan.Walter@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>; Font, Jose <Font.Jose@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; Mitchell, Judy-Ann (she/her/hers) <Mitchell.Judy-Ann@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; Ruvo, Richard (he/him/his) <Ruvo.Richard@epa.gov>  
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Lisa and Olivia,

Please see the email below from Barry/Ann/ Cliff's Special Assistant checking with ORCR and Region 2, if we'd be ok with OLEM meeting with EarthJustice re: AES/CCR.

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**Cc:** Hilosky, Nick (he/him/his) <Hilosky.Nick@epa.gov>; Huggins, Richard <Huggins.Richard@epa.gov>; DeRobertis, Cecilia <DeRobertis.Cecilia@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>  
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*Becky Brooks*  
*Special Assistant*  
*Office of Land and Emergency Management*  
*U.S. Environmental Protection Agency*  
*(cell) 202-281-9653*  
*(office) 202-566-2762*

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**Cc:** Breen, Barry <Breen.Barry@epa.gov>; Heard, Anne <Heard.Anne@epa.gov>; OLEM ORCR IO <OLEMORCRIO@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>; DeRobertis, Cecilia <DeRobertis.Cecilia@epa.gov>; Huggins, Richard <Huggins.Richard@epa.gov>  
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**Cc:** "Krejcik, Krystal" <krejcik.krystal@epa.gov>, "Mack, Andrew" <mack.andrew@epa.gov>, "Mitchell, Judy-Ann (she/her/hers)" <Mitchell.Judy-Ann@epa.gov>, "Conetta, Benny" <Conetta.Benny@epa.gov>  
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**Sent:** Thursday, March 30, 2023 4:24 PM  
**To:** Breen, Barry <[Breen.Barry@epa.gov](mailto:Breen.Barry@epa.gov)>; Heard, Anne <[Heard.Anne@epa.gov](mailto:Heard.Anne@epa.gov)>  
**Cc:** Garcia, Lisa <[Garcia.Lisa@epa.gov](mailto:Garcia.Lisa@epa.gov)>; Iglesias, Ariel <[lglesias.Ariel@epa.gov](mailto:lglesias.Ariel@epa.gov)>; Guerrero, Carmen <[guerrero.carmen@epa.gov](mailto:guerrero.carmen@epa.gov)>; Lisa Evans <[levans@earthjustice.org](mailto:levans@earthjustice.org)>; Christine Santillana <[csantillana@earthjustice.org](mailto:csantillana@earthjustice.org)>; Jose Rivera <[jrivera@earthjustice.org](mailto:jrivera@earthjustice.org)> **Ex. 6 Personal Privacy (PP)** Víctor Alvarado <[valvarado@earthjustice.org](mailto:valvarado@earthjustice.org)> **Ex. 6 Personal Privacy (PP)** Laura Arroyo <[larroyo@earthjustice.org](mailto:larroyo@earthjustice.org)>; Lorena Velez <[lvelez@earthjustice.org](mailto:lvelez@earthjustice.org)>  
**Subject:** Community Letter re AES

Mr. Breen and Ms. Heard,

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Best,

Mychal Ozaeta (he/him)  
Senior Attorney  
Earthjustice  
707 Wilshire Blvd., Suite 4300  
Los Angeles, CA 90017  
T: 213-766-1069  
[earthjustice.org](http://earthjustice.org)

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**From:** Mugdan, Walter [Mugdan.Walter@epa.gov]  
**Sent:** 8/2/2022 9:17:33 PM  
**To:** Glenn, Olivia [Glenn.Olivia@epa.gov]  
**CC:** Garcia, Lisa [Garcia.Lisa@epa.gov]  
**Subject:** FW: EtO question  
**Attachments:** Notification List for EtO announcement

From: Byck, Sabina <Byck.Sabina@epa.gov>  
Sent: Tuesday, August 2, 2022 5:13 PM  
To: Ruvo, Richard <Ruvo.Richard@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>  
Cc: Laurita, Matthew <Laurita.Matthew@epa.gov>; Wieber, Kirk <Wieber.Kirk@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; Rodriguez, Elias <Rodriguez.Elias@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>  
Subject: RE: EtO question

From: Byck, Sabina  
Sent: Tuesday, August 2, 2022 5:09 PM  
To: Ruvo, Richard <Ruvo.Richard@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>  
Cc: Laurita, Matthew <Laurita.Matthew@epa.gov>; Wieber, Kirk <Wieber.Kirk@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; Rodriguez, Elias <Rodriguez.Elias@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>  
Subject: RE: EtO question

### Ex. 5 Deliberative Process (DP)

From: Ruvo, Richard <Ruvo.Richard@epa.gov>  
Sent: Tuesday, August 2, 2022 5:03 PM  
To: Mugdan, Walter <Mugdan.Walter@epa.gov>  
Cc: Laurita, Matthew <Laurita.Matthew@epa.gov>; Wieber, Kirk <Wieber.Kirk@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; Rodriguez, Elias <Rodriguez.Elias@epa.gov>; Byck, Sabina <Byck.Sabina@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>  
Subject: Re: EtO question



Message

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**From:** Noonan, Jenny [Noonan.Jenny@epa.gov]  
**Sent:** 8/2/2022 9:04:13 PM  
**To:** Garcia, David [Garcia.David@epa.gov]; Tejada, Matthew [Tejada.Matthew@epa.gov]; Nazmi, Niloufar [Nazmi.Niloufar@epa.gov]; Mooney, John [Mooney.John@epa.gov]; Jenkins, Brandi [Jenkins.Brandi@epa.gov]; Mears, Mary [Mears.Mary@epa.gov]; Barbery, Andrea [Barbery.Andrea@epa.gov]  
**CC:** Millett, John [Millett.John@epa.gov]; Gillespie, Taylor [Gillespie.Taylor@epa.gov]; Byck, Sabina [Byck.Sabina@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Koerber, Mike [Koerber.Mike@epa.gov]; Lucey, John [Lucey.John.D@epa.gov]; Cortez Russell, Loni [Russell.Loni@epa.gov]  
**Subject:** Notification List for EtO announcement  
**Attachments:** Call List EtO 2022.xlsx

Hi All –

Attached please find the call list for tomorrow's announcement of the EtO outreach and the release of risk information for the 23 commercial sterilizers causing high risk.

OPEEE and OAR have been communicating with folks today and tomorrow more notifications will need to be made. Everyone in the To line of this email is in an organization that has been assigned someone to notify. However, if you think the person/organization does not need to be called or you think someone else in EPA is better positioned to make the call tomorrow, please send me an email. Otherwise, please work with your team to sort out the best person to make the call. You lucky people in the To line are folks I know get things done and I hope you'll forgive me if you aren't the person in your organization to whom I should be sending this. (Also know the cc line folks also get things done!)

Below are talking points for the calls and a draft email if that is the best way to notify your person.

Thanks,  
Jenny

JENNY NOONAN  
*she/her*

📞 919.541.0193 📱 919.358.9562 ✉️ noonan.jenny@epa.gov

Director  
Policy Analysis and Communications  
EPA's Office of Air Quality Planning and Standards  
109 TW Alexander Drive – C301F  
Research Triangle Park, NC 27711

Call List: Community-Specific Talking Points DRAFT – Not Final – Still Under Review – Do Not Use

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## Ex. 5 Deliberative Process (DP)

# **Ex. 5 Deliberative Process (DP)**

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# **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

EPA is holding a national webinar on August 10<sup>th</sup> at 8pm Eastern to provide additional information about EtO, the risk assessment, commercial sterilizers, and to answer questions. You can register for this webinar starting on August 3<sup>rd</sup>. Details at <https://www.epa.gov/hazardous-air-pollutants-ethylene-oxide>. In addition, EPA will be holding additional community meetings in 2022. More information about these meetings will also be available on EPA's website.

Message

**From:** Feinmark, Phyllis [Feinmark.Phyllis@epa.gov]  
**Sent:** 8/3/2022 3:31:47 PM  
**To:** Garcia, Lisa [Garcia.Lisa@epa.gov]  
**Subject:** RE: Riverkeeper - Plaintiffs' List for Meeting on August 8

Yes – I spoke with Maureen and she is setting it up. I will pull together some talking points for you before then.

---

**From:** Garcia, Lisa <Garcia.Lisa@epa.gov>  
**Sent:** Wednesday, August 3, 2022 9:44 AM  
**To:** Feinmark, Phyllis <Feinmark.Phyllis@epa.gov>  
**Subject:** RE: Riverkeeper - Plaintiffs' List for Meeting on August 8

I see that. I would really like some talking points. I had asked that you join, along with Alyssa and Wayne- but I assume the Commissioner and I will try to speak first and set the stage on why we are here.  
Thanks. Should we have a pre-game call on Friday?

---

**From:** Feinmark, Phyllis <Feinmark.Phyllis@epa.gov>  
**Sent:** Tuesday, August 2, 2022 1:49 PM  
**To:** Garcia, Lisa <Garcia.Lisa@epa.gov>  
**Subject:** FW: Riverkeeper - Plaintiffs' List for Meeting on August 8

I just got this list of plaintiff representatives who are to be invited to the August 8 meeting on NYC water quality standards. I wanted to give you a heads-up;

Ex. 5 Attorney Client (AC)

## Ex. 5 Attorney Client (AC)

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**From:** Onozawa, Tomoko (USANYS) <Tomoko.Onozawa@usdoj.gov>  
**Sent:** Tuesday, August 2, 2022 1:35 PM  
**To:** Feinmark, Phyllis <Feinmark.Phyllis@epa.gov>  
**Cc:** Glazer, Thomas <glazer.thomas@epa.gov>; Kramer, Kim <Kramer.Kim@epa.gov>; robert.yalen@USDOJ.GOV  
**Subject:** Riverkeeper - Plaintiffs' List for Meeting on August 8

Phyllis,

Below is the list of participants from Plaintiffs' side who need to receive Teams invites to the August 8<sup>th</sup> meeting. (Some positions/titles were not provided, so I Googled them in case they're useful.)

1. Todd Ommen, Managing Attorney, Pace Environmental Litigation Clinic: [tommen@pace.edu](mailto:tommen@pace.edu)
2. Logan O'Connell, Clinic Intern, Pace Environmental Litigation Clinic: [loconnell@pace.edu](mailto:loconnell@pace.edu)
3. Mike Dulong, Senior Attorney, Riverkeeper: [mdulong@riverkeeper.org](mailto:mdulong@riverkeeper.org)
4. Tracy Brown, President, Riverkeeper: [tbrown@riverkeeper.org](mailto:tbrown@riverkeeper.org)
5. Larry Levine, Senior Attorney & Director, Urban Water Infrastructure, NRDC: [llevine@nrdc.org](mailto:llevine@nrdc.org)
6. Roger Reynolds, Senior Legal Counsel, Save the Sound: [rreynolds@savethesound.org](mailto:rreynolds@savethesound.org)

Tomoko

Tomoko Onozawa  
Assistant U.S. Attorney  
United States Attorney's Office

Southern District of New York  
86 Chambers Street, 3<sup>rd</sup> Floor  
New York, New York 10007  
Telephone: (212) 637-2721  
Facsimile: (212) 637-2717

Message

**From:** Feinmark, Phyllis [Feinmark.Phyllis@epa.gov]  
**Sent:** 8/8/2022 4:43:21 AM  
**To:** Garcia, Lisa [Garcia.Lisa@epa.gov]  
**CC:** Mugdan, Walter [Mugdan.Walter@epa.gov]  
**Subject:** Agenda for today's meeting  
**Attachments:** Agenda NYCWQS 8.8.2022.docx

Draft participant list and agenda attached, We have ten people attending from EPA - maybe let's drop Kim and Mavis? The next highest number is the plaintiffs with six people.

I was hoping [REDACTED] Ex. 6 Personal Privacy (PP)

[REDACTED] Ex. 6 Personal Privacy (PP)

So I will see you on Microsoft Teams.

-----Original Message-----

From: Garcia, Lisa <Garcia.Lisa@epa.gov>  
Sent: Sunday, August 7, 2022 10:48 PM  
To: Feinmark, Phyllis <Feinmark.Phyllis@epa.gov>  
Cc: Mugdan, Walter <Mugdan.Walter@epa.gov>  
Subject: Re: Agenda for tomorrow

Yes, A draft- That would be good. thank you!

Yes order and list of speakers

And next steps

and maybe a quick round

Of introductions by one person per agency? Thoughts? (Walter is great and quickly listing who we have on a call)

Thanks!

> On Aug 7, 2022, at 10:40 PM, Feinmark, Phyllis <Feinmark.Phyllis@epa.gov> wrote:

>

> We could send around a list of attendees (which they already have from the invitation) and order of speakers (you, Basil, them for questions, then maybe a "next steps" item). I would not advise [REDACTED] Ex. 5 Attorney Client (AC)

## Ex. 5 Attorney Client (AC)

>

> I can pull that together, or anything else you want, and get it back to you by 10 - just let me know -

>

> -----Original Message-----

> From: Garcia, Lisa <Garcia.Lisa@epa.gov>  
> Sent: Sunday, August 7, 2022 9:52 PM  
> To: Feinmark, Phyllis <Feinmark.Phyllis@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>  
> Subject: Agenda for tomorrow

>

> Walter and Phyllis:

> Do you think we should send around a short agenda for the WQS meeting? We can send one by 10am.

> Or should we just assume they know we plan to present our position/ask first?

>

> Lisa G



Message

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**From:** Simon, Paul [Simon.Paul@epa.gov]  
**Sent:** 8/23/2022 8:13:00 PM  
**To:** Kluesner, Dave [kluesner.dave@epa.gov]  
**CC:** Glenn, Olivia [Glenn.Olivia@epa.gov]; Garcia, Lisa [Garcia.Lisa@epa.gov]; Bain, Zeno [Bain.Zeno@epa.gov]; Mugdan, Walter [Mugdan.Walter@epa.gov]; Guerrero, Carmen [guerrero.carmen@epa.gov]; Ruvo, Richard [Ruvo.Richard@epa.gov]; Evangelista, Pat [Evangelista.Pat@epa.gov]; Mears, Mary [Mears.Mary@epa.gov]; McEathron, Kimberly [McEathron.Kimberly@epa.gov]; Benjamin, Arielle [Benjamin.Arielle@epa.gov]; Parker, Philip [Parker.Philip@epa.gov]; Mehta-Sampath, Ameesha [Mehta-Sampath.Ameesha@epa.gov]  
**Subject:** RE: From Elizabeth Neville: Port Hamilton Refining and Transportation's St. Croix Refinery

I am not aware of any petition to us from Port Hamilton. I think the Bloomberg article was incorrect about that.

The company's response to our 3/22/22 letter was labeled confidential business information (CBI), so we can't release it. We will need to go through the CBI process.

---

**From:** Kluesner, Dave <kluesner.dave@epa.gov>  
**Sent:** Tuesday, August 23, 2022 4:00 PM  
**To:** Glenn, Olivia <Glenn.Olivia@epa.gov>; Garcia, Lisa <Garcia.Lisa@epa.gov>; Bain, Zeno <Bain.Zeno@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; Ruvo, Richard <Ruvo.Richard@epa.gov>; Evangelista, Pat <Evangelista.Pat@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; McEathron, Kimberly <McEathron.Kimberly@epa.gov>; Benjamin, Arielle <Benjamin.Arielle@epa.gov>; Parker, Philip <Parker.Philip@epa.gov>; Mehta-Sampath, Ameesha <Mehta-Sampath.Ameesha@epa.gov>  
**Subject:** FYI: From Elizabeth Neville: Port Hamilton Refining and Transportation's St. Croix Refinery

Received a few moments ago.

David W. Kluesner



U.S. Environmental Protection Agency, Northeast & Caribbean Region  
Director of Strategic Programs  
Office of the Regional Administrator  
290 Broadway, 26<sup>th</sup> Floor  
New York, NY 10007  
212.637.3653 (Office)  
347.330.9439 (Cell)

---

**From:** Elizabeth Neville <elizabeth@neville.com>  
**Sent:** Tuesday, August 23, 2022 3:48 PM  
**To:** Kluesner, Dave <kluesner.dave@epa.gov>; jvaliulis@stxenvironmental.org  
**Cc:** Heather Croshaw; Ex. 6 Personal Privacy (PP) >; Kai A. Nielsen; Ex. 6 Personal Privacy (PP) >; L Cobrall; Ex. 6 Personal Privacy (PP) >; William.weeks@uvi.edu; John Walker <jwalke@nrdc.org>; Sara Zuckerman <jteelsimmonds@biologicaldiversity.org>; Benjamin, Arielle <Benjamin.Arielle@epa.gov>; Bain, Zeno <Bain.Zeno@epa.gov>; Parker, Philip <Parker.Philip@epa.gov>; Michael Harris <mrharris@vermontlaw.edu>; edavis@nrdc.org; Miyoko Sakashita <miyoko@biologicaldiversity.org>  
**Subject:** Re: UPDATE: Port Hamilton Refining and Transportation's St. Croix Refinery

Dear David,

Thank you for this update and for the documents that you shared yesterday. We appreciate your continuing to provide the CEMS data. Please keep us posted regarding Port Hamilton's response to EPA's letter about the smoldering petroleum coke and fire.

In addition to the petition that I requested in my email of yesterday (8/22) addressed to Administrator Regan, can you kindly provide an update as to whether Port Hamilton Refining and Transportation responded to EPA's March 22 letter regarding PSD permitting? If so, can you kindly provide their response(s) at your earliest convenience?

Thank you very much. Please do not hesitate to reach out if you would like to discuss any of the above.

Kind wishes,  
Elizabeth

Elizabeth Leigh Neville

Attorney at Law

The Neville Law Firm, LLC

(407) 765-2800

[Elizabeth@Neville.com](mailto:Elizabeth@Neville.com)

---

**From:** Kluesner, Dave <[kluesner.dave@epa.gov](mailto:kluesner.dave@epa.gov)>

**Sent:** Tuesday, August 23, 2022 11:00 AM

**To:** [Elizabeth@Neville.com](mailto:Elizabeth@Neville.com) <[Elizabeth@Neville.com](mailto:Elizabeth@Neville.com)>; [jvaliulis@stxenvironmental.org](mailto:jvaliulis@stxenvironmental.org) <[jvaliulis@stxenvironmental.org](mailto:jvaliulis@stxenvironmental.org)>

**Cc:** Heather Croshaw; [Ex. 6 Personal Privacy (PP)] Kai A. Nielsen [Ex. 6 Personal Privacy (PP)] L Cobrall

[Ex. 6 Personal Privacy (PP)]

[Ex. 6 Personal Privacy (PP)]; [William.weeks@uvi.edu](mailto:William.weeks@uvi.edu) <[William.weeks@uvi.edu](mailto:William.weeks@uvi.edu)>; Rachel Stevens <[RSTEVENS@vermontlaw.edu](mailto:RSTEVENS@vermontlaw.edu)>; John Walker <[jwalke@nrdc.org](mailto:jwalke@nrdc.org)>; Sara Zuckerman [Ex. 6 Personal Privacy (PP)] <[jteelsimmonds@biologicaldiversity.org](mailto:jteelsimmonds@biologicaldiversity.org)> <[jteelsimmonds@biologicaldiversity.org](mailto:jteelsimmonds@biologicaldiversity.org)>; Benjamin, Arielle <[Benjamin.Arielle@epa.gov](mailto:Benjamin.Arielle@epa.gov)>; [jvaliulis@stxenvironmental.org](mailto:jvaliulis@stxenvironmental.org) <[jvaliulis@stxenvironmental.org](mailto:jvaliulis@stxenvironmental.org)>; Bain, Zeno <[Bain.Zeno@epa.gov](mailto:Bain.Zeno@epa.gov)>; Parker, Philip <[Parker.Philip@epa.gov](mailto:Parker.Philip@epa.gov)>

**Subject:** UPDATE: Port Hamilton Refining and Transportation's St. Croix Refinery

EPA's August 18 letter to Port Hamilton is now posted on [Refinery on St. Croix, U.S. Virgin Islands | US EPA](#).

- Letter: [Microsoft Word - Port Hamilton Refinery 104e Revised Final.docx \(epa.gov\)](#)

We are working on the other matters that you raised and will be in touch.

David W. Kluesner



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New York, NY 10007  
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347.330.9439 (Cell)

---

**From:** Kluesner, Dave

**Sent:** Monday, August 22, 2022 6:23 PM

**To:** Elizabeth@Neville.com; jvaliulis@stxenvironmental.org

**Cc:** Heather Croshaw; Ex. 6 Personal Privacy (PP); Kai A. Nielsen; Ex. 6 Personal Privacy (PP); L Cobrall

Ex. 6 Personal Privacy (PP); William.weeks@uvi.edu; Rachel Stevens  
<RSTEVENS@vermontlaw.edu>; John Walker <jwalke@nrdc.org>; Sara Zuckerman Ex. 6 Personal Privacy (PP)  
jteesimmonds@biologicaldiversity.org; Benjamin, Arielle <Benjamin.Arielle@epa.gov>; jvaliulis@stxenvironmental.org;  
Bain, Zeno <Bain.Zeno@epa.gov>; Parker, Philip <Parker.Philip@epa.gov>

**Subject:** Port Hamilton Refining and Transportation's St. Croix Refinery

Dear Elizabeth and Jennifer, and allied organizations. I am sharing with you the following:

- Copied below, a statement by the U.S. EPA issued today, in response to the smoldering pile at the refinery
- Attached, an information request letter to Port Hamilton, which was sent on August 18, 2022 (we are correcting the website to include the letter with a date stamp) in response to their August 7, 2022 news release in which it wrote that a pile of petroleum coke was found to be smoldering at the facility on St. Croix. Petroleum coke is a charcoal-like substance that is a byproduct of refining oil. On August 18, 2022, EPA issued a letter to Port Hamilton Refining and Transportation seeking information and documents relating to the incident.
- In furtherance of your request for data from the continuous emissions monitoring system (CEMS), the attached spreadsheets contain CEMS data we received from PHRT for May to early June.

We will be working closely with SEA and allied organizations to provide as much information as feasible and we look forward to scheduling a community update meeting in the very near future.

Meanwhile, this is a reminder that the EPA community hotline is still operational at (866) 462-4789. It is not staffed 24/7 but all calls left to the voice message system during after hours will be returned as soon as possible. Thank you and please let me know if you have any questions or if we can assist in any way.

**Statement from EPA on Incidents at Port Hamilton Refining and Transportation's St. Croix Refinery  
8/22/22**

EPA is concerned about the smoldering pile and the recent conveyor belt fire, and we are in active discussion with the U.S. Virgin Islands' Department of Natural and Environmental Resources and the facility itself to gather more information and determine appropriate next steps, including what direct assistance from EPA may be needed.

On August 18, 2022, EPA sent a letter to Port Hamilton Refining and Transportation (PHRT) asking for detailed information about the smoldering coke pile.

EPA remains committed to ensuring that the facility is run in a manner that complies with environmental regulations.

EPA's public hotline to register concerns about this facility remains active. People with concerns should call (866) 462-4789.

**David W. Kluesner**



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New York, NY 10007  
212.637.3653 (Office)  
347.330.9439 (Cell)

Message

---

**From:** Simon, Paul [Simon.Paul@epa.gov]  
**Sent:** 8/25/2022 4:21:19 PM  
**To:** Kluesner, Dave [kluesner.dave@epa.gov]  
**CC:** Garcia, Lisa [Garcia.Lisa@epa.gov]; Glenn, Olivia [Glenn.Olivia@epa.gov]; Bain, Zeno [Bain.Zeno@epa.gov]; Mugdan, Walter [Mugdan.Walter@epa.gov]; Guerrero, Carmen [guerrero.carmen@epa.gov]; Ruvo, Richard [Ruvo.Richard@epa.gov]; Evangelista, Pat [Evangelista.Pat@epa.gov]; Mears, Mary [Mears.Mary@epa.gov]; McEathron, Kimberly [McEathron.Kimberly@epa.gov]; Benjamin, Arielle [Benjamin.Arielle@epa.gov]; Parker, Philip [Parker.Philip@epa.gov]; Mehta-Sampath, Ameesha [Mehta-Sampath.Ameesha@epa.gov]; Villatora, Liliana [Villatora.Liliana@epa.gov]; Siegel, Joseph [Siegel.Joseph@epa.gov]  
**Subject:** RE: UPDATE: From Elizabeth Neville: Port Hamilton Refining and Transportation's St. Croix Refinery

The date of PH's response to our 3/22 letter is 7/15; plus they sent us a corrected version on 7/27 since their 7/15 version accidentally had a missing line. As we've discussed, we can't give Elizabeth or the others a copy of the PH response at this time. PH labeled the letter as containing CBI. We have to work through the CBI process and make a determination about whether their CBI claim is valid or not.

---

**From:** Kluesner, Dave <kluesner.dave@epa.gov>  
**Sent:** Thursday, August 25, 2022 12:01 PM  
**To:** Garcia, Lisa <Garcia.Lisa@epa.gov>; Glenn, Olivia <Glenn.Olivia@epa.gov>; Bain, Zeno <Bain.Zeno@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; Ruvo, Richard <Ruvo.Richard@epa.gov>; Evangelista, Pat <Evangelista.Pat@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; McEathron, Kimberly <McEathron.Kimberly@epa.gov>; Benjamin, Arielle <Benjamin.Arielle@epa.gov>; Parker, Philip <Parker.Philip@epa.gov>; Mehta-Sampath, Ameesha <Mehta-Sampath.Ameesha@epa.gov>  
**Subject:** UPDATE: From Elizabeth Neville: Port Hamilton Refining and Transportation's St. Croix Refinery

I just spoke with Elizabeth Neville. It was clarified that SEA and allied organizations are requesting the July 22, 2022 PH Refining response to EPA's March 22, 2022 letter to PH Refining. I further clarified that that to our knowledge, there is no "petition", other than the community petition to ATSDR on a health impacts study, which is not what SEA, et. al were inquiring about.

David W. Kluesner



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New York, NY 10007  
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---

**From:** Garcia, Lisa <Garcia.Lisa@epa.gov>  
**Sent:** Thursday, August 25, 2022 9:19 AM  
**To:** Kluesner, Dave <kluesner.dave@epa.gov>; Glenn, Olivia <Glenn.Olivia@epa.gov>; Bain, Zeno <Bain.Zeno@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; Ruvo, Richard <Ruvo.Richard@epa.gov>; Evangelista, Pat <Evangelista.Pat@epa.gov>; Mears,

Mary <Mears.Mary@epa.gov>; McEathron, Kimberly <McEathron.Kimberly@epa.gov>; Benjamin, Arielle <Benjamin.Arielle@epa.gov>; Parker, Philip <Parker.Philip@epa.gov>; Mehta-Sampath, Ameesha <Mehta-Sampath.Ameesha@epa.gov>

**Subject:** RE: From Elizabeth Neville: Port Hamilton Refining and Transportation's St. Croix Refinery

Dave, et al.: I just realized that this email from Elizabeth refers to both a "petition" and the March 22<sup>nd</sup> letter.

Originally it was stated that she was confusing the petition with the March 22<sup>nd</sup> letter. It would be good to get clarification as to what the groups think were the petition before we respond. Thanks, Lisa G

---

**From:** Kluesner, Dave <kluesner.dave@epa.gov>

**Sent:** Tuesday, August 23, 2022 4:00 PM

**To:** Glenn, Olivia <Glenn.Olivia@epa.gov>; Garcia, Lisa <Garcia.Lisa@epa.gov>; Bain, Zeno <Bain.Zeno@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; Ruvo, Richard <Ruvo.Richard@epa.gov>; Evangelista, Pat <Evangelista.Pat@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; McEathron, Kimberly <McEathron.Kimberly@epa.gov>; Benjamin, Arielle <Benjamin.Arielle@epa.gov>; Parker, Philip <Parker.Philip@epa.gov>; Mehta-Sampath, Ameesha <Mehta-Sampath.Ameesha@epa.gov>

**Subject:** FYI: From Elizabeth Neville: Port Hamilton Refining and Transportation's St. Croix Refinery

Received a few moments ago.

David W. Kluesner



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New York, NY 10007  
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---

**From:** Elizabeth Neville <elizabeth@neville.com>

**Sent:** Tuesday, August 23, 2022 3:48 PM

**To:** Kluesner, Dave <kluesner.dave@epa.gov>; jvaliulis@stxenvironmental.org

**Cc:** Heather Croshaw [Ex. 6 Personal Privacy (PP)]; Kai A. Nielsen [Ex. 6 Personal Privacy (PP)]; L Cobrall [Ex. 6 Personal Privacy (PP)]; William.weeks@uvi.edu; John Walker <jwalke@nrdc.org>; Sara Zuckerman [Ex. 6 Personal Privacy (PP)]; jteelsimmonds@biologicaldiversity.org; Benjamin, Arielle <Benjamin.Arielle@epa.gov>; Bain, Zeno <Bain.Zeno@epa.gov>; Parker, Philip <Parker.Philip@epa.gov>; Michael Harris <mrharris@vermontlaw.edu>; edavis@nrdc.org; Miyoko Sakashita <miyoko@biologicaldiversity.org>

**Subject:** Re: UPDATE: Port Hamilton Refining and Transportation's St. Croix Refinery

Dear David,

Thank you for this update and for the documents that you shared yesterday. We appreciate your continuing to provide the CEMS data. Please keep us posted regarding Port Hamilton's response to EPA's letter about the smoldering petroleum coke and fire.

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Thank you very much. Please do not hesitate to reach out if you would like to discuss any of the above.

Kind wishes,  
Elizabeth

Elizabeth Leigh Neville

Attorney at Law

The Neville Law Firm, LLC

(407) 765-2800

[Elizabeth@Neville.com](mailto:Elizabeth@Neville.com)

---

**From:** Kluesner, Dave <[kluesner.dave@epa.gov](mailto:kluesner.dave@epa.gov)>

**Sent:** Tuesday, August 23, 2022 11:00 AM

**To:** [Elizabeth@Neville.com](mailto:Elizabeth@Neville.com) <[Elizabeth@Neville.com](mailto:Elizabeth@Neville.com)>; [jvaliulis@stxenvironmental.org](mailto:jvaliulis@stxenvironmental.org) <[jvaliulis@stxenvironmental.org](mailto:jvaliulis@stxenvironmental.org)>

**Cc:** Heather Croshaw; **Ex. 6 Personal Privacy (PP)**; Kai A. Nielsen **Ex. 6 Personal Privacy (PP)**; L Cobrall

**Ex. 6 Personal Privacy (PP)**

**Ex. 6 Personal Privacy (PP)**; [William.weeks@uvi.edu](mailto:William.weeks@uvi.edu) <[William.weeks@uvi.edu](mailto:William.weeks@uvi.edu)>; Rachel Stevens

<[RSTEVENS@vermontlaw.edu](mailto:RSTEVENS@vermontlaw.edu)>; John Walker <[jwalke@nrdc.org](mailto:jwalke@nrdc.org)>; Sara Zuckerman **Ex. 6 Personal Privacy (PP)**

[jteelsimmonds@biologicaldiversity.org](mailto:jteelsimmonds@biologicaldiversity.org) <[jteelsimmonds@biologicaldiversity.org](mailto:jteelsimmonds@biologicaldiversity.org)>; Benjamin, Arielle

<[Benjamin.Arielle@epa.gov](mailto:Benjamin.Arielle@epa.gov)>; [jvaliulis@stxenvironmental.org](mailto:jvaliulis@stxenvironmental.org) <[jvaliulis@stxenvironmental.org](mailto:jvaliulis@stxenvironmental.org)>; Bain, Zeno

<[Bain.Zeno@epa.gov](mailto:Bain.Zeno@epa.gov)>; Parker, Philip <[Parker.Philip@epa.gov](mailto:Parker.Philip@epa.gov)>

**Subject:** UPDATE: Port Hamilton Refining and Transportation's St. Croix Refinery

EPA's August 18 letter to Port Hamilton is now posted on [Refinery on St. Croix, U.S. Virgin Islands | US EPA](#).

- Letter: [Microsoft Word - Port Hamilton Refinery 104e Revised Final.docx \(epa.gov\)](#)

We are working on the other matters that you raised and will be in touch.

David W. Kluesner



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**From:** Kluesner, Dave

**Sent:** Monday, August 22, 2022 6:23 PM

**To:** Elizabeth@Neville.com; jvaliulis@stxenvironmental.org

**Cc:** Heather Croshaw; Ex. 6 Personal Privacy (PP); L Cobrall

Ex. 6 Personal Privacy (PP); William.weeks@uvi.edu; Rachel Stevens

<RSTEVENS@vermontlaw.edu>; John Walker <jwalke@nrdc.org>; Sara Zuckerman <Ex. 6 Personal Privacy (PP)>  
jteelsimmonds@biologicaldiversity.org; Benjamin, Arielle <Benjamin.Arielle@epa.gov>; jvaliulis@stxenvironmental.org;  
Bain, Zeno <Bain.Zeno@epa.gov>; Parker, Philip <Parker.Philip@epa.gov>

**Subject:** Port Hamilton Refining and Transportation's St. Croix Refinery

Dear Elizabeth and Jennifer, and allied organizations. I am sharing with you the following:

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- In furtherance of your request for data from the continuous emissions monitoring system (CEMS), the attached spreadsheets contain CEMS data we received from PHRT for May to early June.

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**Statement from EPA on Incidents at Port Hamilton Refining and Transportation's St. Croix Refinery  
8/22/22**

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**David W. Kluesner**



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New York, NY 10007  
212.637.3653 (Office)  
347.330.9439 (Cell)

Message

**From:** Garcia, Lisa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=59A7B30A97584935ADCD3483768ED116-GARCIA, LIS]  
**Sent:** 9/6/2022 1:52:04 PM  
**To:** Feinmark, Phyllis [Feinmark.Phyllis@epa.gov]; Mugdan, Walter [Mugdan.Walter@epa.gov]; Glenn, Olivia [Glenn.Olivia@epa.gov]  
**CC:** Laureano Perez, Javier [laureano.javier@epa.gov]; Arcaya, Alyssa [arcaya.alyssa@epa.gov]; Wong, Virginia [Wong.Virginia@epa.gov]; Jackson, Wayne [Jackson.Wayne@epa.gov]; Simon, Paul [Simon.Paul@epa.gov]  
**Subject:** RE: proposed AGENDA/talking points for 9/7 meeting

The agenda and TPs look good to me. Agree, we should send the plaintiffs the bare bones agenda soon.

Thank you, Lisa G

---

**From:** Feinmark, Phyllis <Feinmark.Phyllis@epa.gov>  
**Sent:** Monday, September 5, 2022 7:36 PM  
**To:** Garcia, Lisa <Garcia.Lisa@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Glenn, Olivia <Glenn.Olivia@epa.gov>  
**Cc:** Laureano Perez, Javier <laureano.javier@epa.gov>; Arcaya, Alyssa <arcaya.alyssa@epa.gov>; Wong, Virginia <Wong.Virginia@epa.gov>; Jackson, Wayne <Jackson.Wayne@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>  
**Subject:** proposed AGENDA/talking points for 9/7 meeting

I have put together this agenda that includes our talking points. Once we agree on this, we can send it to the other parties on the 9/7 call.

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

work. Thanks!

Proposed AGENDA/talking points for 9/7 meeting (2:00 – 4:00) with plaintiffs in NYC WQS litigation:

**Ex. 5 Attorney Client (AC)**

# Ex. 5 Attorney Client (AC)

- 6) Set date for next discussion to move forward, and agreement on the status letter to court (with language to be finalized between parties before September 14).

---

**From:** Ommen, Todd D. <[tommen@law.pace.edu](mailto:tommen@law.pace.edu)>

**Sent:** Tuesday, August 16, 2022 12:45 PM

**To:** Onozawa, Tomoko (USANYS) <[TOnozawa@usa.doj.gov](mailto:TOnozawa@usa.doj.gov)>

**Cc:** Mike Dulong <[mdulong@riverkeeper.org](mailto:mdulong@riverkeeper.org)>; Levine, Larry <[llevine@nrdc.org](mailto:llevine@nrdc.org)>; Roger Reynolds <[rreynolds@savethesound.org](mailto:rreynolds@savethesound.org)>

**Subject:** [EXTERNAL] RE: WQS Lawsuit/SD and I waters

Tomoko, below are the topics we'd like to discuss. Subject to FRE 408 of course.

1. Milestones: We'd like to discuss the concept, and how they'd be enforceable.
2. We want to confirm that EPA's position is that all SD and I waters are currently primary contact recreation waters, so any designation of any waterbody or segment as something below primary contact recreation requires a UAA. This seemed clear from the meeting, but we wanted some confirmation.
3. We want to confirm that we will have an actual seat at the table and are not just viewing the actions as they unfold, and what that would entail.
4. We want to know if EPA will require all regulation adopted by DEC in this context be submitted to EPA for review and approval.
5. We want to discuss the requirement of an ability to pay full analysis for any degradation of water quality.
6. We would like gauge EPA's willingness to including the LTCPs in our discussions.

Thanks,

Todd

Todd D. Ommen

*Managing Attorney* - Pace Environmental Litigation Clinic, Inc.

*Professor of Law* - Elisabeth Haub School of Law

78 North Broadway, White Plains, NY 10603

[tommen@law.pace.edu](mailto:tommen@law.pace.edu)

914-422-4343 (O) - 914-422-4437 (F)



Message

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**From:** Garcia, Lisa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=59A7B30A97584935ADCD3483768ED116-GARCIA, LIS]  
**Sent:** 9/7/2022 4:41:46 PM  
**To:** Feinmark, Phyllis [Feinmark.Phyllis@epa.gov]  
**CC:** Mugdan, Walter [Mugdan.Walter@epa.gov]; Glenn, Olivia [Glenn.Olivia@epa.gov]; Bermudez, Navis [Bermudez.Navis@epa.gov]; Laureano Perez, Javier [laureano.javier@epa.gov]; Arcaya, Alyssa [arcaya.alyssa@epa.gov]; Wong, Virginia [Wong.Virginia@epa.gov]; Jackson, Wayne [Jackson.Wayne@epa.gov]; Glazer, Thomas [glazer.thomas@epa.gov]  
**Subject:** Re: long form agenda and talking points for 2:00 meeting  
**Attachments:** Agenda and talking points - internal - 9-7-22.docx

Thank you!

Yes, Fingers crossed!

**Ex. 5 Attorney Client (AC)**

Ex. 5 Attorney Client (AC)

On Sep 7, 2022, at 12:31 PM, Feinmark, Phyllis <Feinmark.Phyllis@epa.gov> wrote:

The bare-bones agenda is attached to the meeting invite. This is the version with talking points. Fingers crossed this works!

Message

---

**From:** Garcia, Lisa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=59A7B30A97584935ADCD3483768ED116-GARCIA, LIS]  
**Sent:** 4/3/2023 6:58:59 PM  
**To:** Iglesias, Ariel [Iglesias.Ariel@epa.gov]; Glenn, Olivia [Glenn.Olivia@epa.gov]  
**CC:** Mugdan, Walter [Mugdan.Walter@epa.gov]; Guerrero, Carmen [guerrero.carmen@epa.gov]; Font, Jose [Font.Jose@epa.gov]; Mears, Mary [Mears.Mary@epa.gov]; Mitchell, Judy-Ann (she/her/hers) [Mitchell.Judy-Ann@epa.gov]; Simon, Paul [Simon.Paul@epa.gov]; Ruvo, Richard (he/him/his) [Ruvo.Richard@epa.gov]  
**Subject:** RE: For RA's Input - Community Letter re AES

I agree with informing OLEM of the continued work. Just reiterate that Earthjustice continues to use AES and the surrounding community for their larger campaign and advocacy (which is fine), but our work remains clearly and squarely in supporting the community.

Thanks,  
Lisa G

---

**From:** Iglesias, Ariel <Iglesias.Ariel@epa.gov>  
**Sent:** Monday, April 3, 2023 12:34 PM  
**To:** Glenn, Olivia <Glenn.Olivia@epa.gov>; Garcia, Lisa <Garcia.Lisa@epa.gov>  
**Cc:** Mugdan, Walter <Mugdan.Walter@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>; Font, Jose <Font.Jose@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; Mitchell, Judy-Ann (she/her/hers) <Mitchell.Judy-Ann@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; Ruvo, Richard (he/him/his) <Ruvo.Richard@epa.gov>  
**Subject:** For RA's Input - Community Letter re AES

Lisa and Olivia,

Please see the email below from Barry/Ann/ Cliff's Special Assistant checking with ORCR and Region 2, if we'd be ok with OLEM meeting with EarthJustice re: AES/CCR.

**Ex. 5 Attorney Client (AC)**

**Ex. 5 AC/DP**

I'd like to confirm if you'd be comfortable with this approach before proposing it to OLEM. We discussed this recommendation in the senior staff meeting earlier today, and we were all in agreement that the next step was to running it by you.

Thanks, and please let me know if you have any questions. Safe travels.

Ariel

---

**From:** Brooks, Becky <Brooks.Becky@epa.gov>  
**Sent:** Friday, March 31, 2023 5:35 PM  
**To:** Iglesias, Ariel <Iglesias.Ariel@epa.gov>; OLEM ORCR IO <OLEMORCRIO@epa.gov>  
**Cc:** Hilosky, Nick (he/him/his) <Hilosky.Nick@epa.gov>; Huggins, Richard <Huggins.Richard@epa.gov>; DeRobertis, Cecilia <DeRobertis.Cecilia@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>  
**Subject:** FW: Community Letter re AES

OLEM is considering taking this meeting, with Region 2 and ORCR included. Please let us know if you would be ok with a meeting. Folks here are going to read the letter in full, as there may be other AAships that should be included. Have a good weekend. Becky

Becky Brooks  
Special Assistant  
Office of Land and Emergency Management  
U.S. Environmental Protection Agency  
(cell) 202-281-9653  
(office) 202-566-2762

---

**From:** Hoskinson, Carolyn <Hoskinson.Carolyn@epa.gov>  
**Sent:** Thursday, March 30, 2023 8:52 PM  
**To:** Villa, Clifford <Villa.Clifford@epa.gov>; Hilosky, Nick (he/him/his) <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>  
**Cc:** Breen, Barry <Breen.Barry@epa.gov>; Heard, Anne <Heard.Anne@epa.gov>; OLEM ORCR IO <OLEMORCRIO@epa.gov>; Crossland, Andy <Crossland.Andy@epa.gov>; DeRobertis, Cecilia <DeRobertis.Cecilia@epa.gov>; Huggins, Richard <Huggins.Richard@epa.gov>  
**Subject:** Fwd: Community Letter re AES

I noticed that Cliff, Nick, and Becky were not included on the original email, so forwarding to you.

Would the OLEM IO like ORCR to develop an email response to this letter from Earthjustice?

Sent from my iPhone

Begin forwarded message:

**From:** "Iglesias, Ariel" <Iglesias.Ariel@epa.gov>  
**Date:** March 30, 2023 at 4:34:02 PM EDT  
**To:** "Hoskinson, Carolyn" <Hoskinson.Carolyn@epa.gov>, "Barringer, Jody" <Barringer.Jody@epa.gov>, "Crossland, Andy" <Crossland.Andy@epa.gov>, "DeRobertis, Cecilia" <DeRobertis.Cecilia@epa.gov>, "Huggins, Richard" <Huggins.Richard@epa.gov>  
**Cc:** "Krejcik, Krystal" <krejcik.krystal@epa.gov>, "Mack, Andrew" <mack.andrew@epa.gov>, "Mitchell, Judy-Ann (she/her/hers)" <Mitchell.Judy-Ann@epa.gov>, "Conetta, Benny" <Conetta.Benny@epa.gov>  
**Subject:** FW: Community Letter re AES

Folks – FYI.

---

**From:** Mychal Ozaeta <mozaeta@earthjustice.org>  
**Sent:** Thursday, March 30, 2023 4:24 PM  
**To:** Breen, Barry <Breen.Barry@epa.gov>; Heard, Anne <Heard.Anne@epa.gov>  
**Cc:** Garcia, Lisa <Garcia.Lisa@epa.gov>; Iglesias, Ariel <Iglesias.Ariel@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>; Lisa Evans <levans@earthjustice.org>; Christine Santillana <csantillana@earthjustice.org>; Jose Rivera <Ex. 6 Personal Privacy (PP)> Víctor Alvarado <Ex. 6 Personal Privacy (PP)> Laura Arroyo <larroyo@earthjustice.org>; Lorena Velez <lvelez@earthjustice.org>  
**Subject:** Community Letter re AES

Mr. Breen and Ms. Heard,

On behalf of the undersigned groups, please see the attached letter formally requesting a meeting with EPA to continue discussions regarding significant coal ash contamination issues related to the AES coal plant in Guayama, Puerto Rico.

Best,

Mychal Ozaeta (he/him)  
Senior Attorney  
Earthjustice  
707 Wilshire Blvd., Suite 4300  
Los Angeles, CA 90017  
T: 213-766-1069  
[earthjustice.org](http://earthjustice.org)

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Message

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**From:** Garcia, Lisa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=59A7B30A97584935ADCD3483768ED116-GARCIA, LIS]  
**Sent:** 4/5/2023 6:24:13 PM  
**To:** Ruvo, Richard (he/him/his) [Ruvo.Richard@epa.gov]  
**CC:** Mugdan, Walter [Mugdan.Walter@epa.gov]; Glenn, Olivia [Glenn.Olivia@epa.gov]; Hickey, Maureen [Hickey.Maureen@epa.gov]; Soltani, Beth [Soltani.Beth@epa.gov]  
**Subject:** Re: Particulate matter rule petition delivery tomorrow morning

Thanks Rick for the information. I agree they should be given the information on how to file comments also, although I assume we can file what they deliver in person.

I also do not have time to meet with them tomorrow.

Maybe we can suggest a general meet and greet at a later time?

Lisa G

On Apr 5, 2023, at 2:20 PM, Ruvo, Richard (he/him/his) <Ruvo.Richard@epa.gov> wrote:

Hi Walter-

If I can share some insights regarding this request.

## Ex. 5 Deliberative Process (DP)

Thanks,  
Rick

---

**From:** Mugdan, Walter <Mugdan.Walter@epa.gov>  
**Sent:** Wednesday, April 5, 2023 12:36 PM  
**To:** Garcia, Lisa <Garcia.Lisa@epa.gov>; Ruvo, Richard (he/him/his) <Ruvo.Richard@epa.gov>; Glenn, Olivia <Glenn.Olivia@epa.gov>  
**Cc:** Hickey, Maureen <Hickey.Maureen@epa.gov>; Soltani, Beth <Soltani.Beth@epa.gov>  
**Subject:** RE: Particulate matter rule petition delivery tomorrow morning

Colleagues, I don't know whether or not we wish to agree to the requested meeting ... but if so, and FYI, I will be in the office and available between 10 and 11 tomorrow.

---

**From:** Miranda Ehrlich <[miranda.ehrlich@sierraclub.org](mailto:miranda.ehrlich@sierraclub.org)>

**Sent:** Wednesday, April 5, 2023 11:59 AM

**To:** Garcia, Lisa <[Garcia.Lisa@epa.gov](mailto:Garcia.Lisa@epa.gov)>; Mugdan, Walter <[Mugdan.Walter@epa.gov](mailto:Mugdan.Walter@epa.gov)>; Ruvo, Richard (he/him/his) <[Ruvo.Richard@epa.gov](mailto:Ruvo.Richard@epa.gov)>

**Cc:** Glenn, Olivia <[Glenn.Olivia@epa.gov](mailto:Glenn.Olivia@epa.gov)>; Shay O'Reilly <[shay.oreilly@sierraclub.org](mailto:shay.oreilly@sierraclub.org)>; Neil Waggoner <[neil.waggoner@sierraclub.org](mailto:neil.waggoner@sierraclub.org)>

**Subject:** Particulate matter rule petition delivery tomorrow morning

Dear Administrator Garcia, Deputy Administrator Mugdan, and Director Ruvo,

I'm reaching out on behalf of the Sierra Club to let you know that our New York team is planning to deliver a letter summarizing PM rule comments from Sierra Club members and supporters in Region 2 **tomorrow morning (Thursday) at 10am**. During the letter delivery, our staff and volunteers are interested in meeting briefly with EPA at the New York City office. Will this timeframe work for any of you? If not, is there a staff member who would be available to meet with our volunteers when they deliver the letter?

Thank you so much for your consideration of this request.

Thanks,  
Miranda

--

<image001.jpg>

Miranda Ehrlich  
Federal Field Director  
Sierra Club  
Pronouns: She/her/hers  
Phone: 612-998-2758 | Eastern Time Zone  
[miranda.ehrlich@sierraclub.org](mailto:miranda.ehrlich@sierraclub.org)

Message

---

**From:** Garcia, Lisa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=59A7B30A97584935ADCD3483768ED116-GARCIA, LIS]  
**Sent:** 4/12/2023 10:06:15 PM  
**To:** Beller, Matthew [Beller.Matthew@epa.gov]  
**CC:** Mears, Mary [Mears.Mary@epa.gov]; Rodriguez, Elias [Rodriguez.Elias@epa.gov]  
**Subject:** FW: [EXTERNAL] RE: Pre-Symposium meeting

Hi Matt:

Let me know if anything else came up on the call after I left.

Below is the agenda – run of show but

I would like to know what time exactly I am doing the keynote.

As you know they asked me to focus on energy justice- so it will be good to get the speech from Adm Regan yesterday that probably mentions the health impacts of the new rule and a transition away from dirty vehicles to EV.

Also, they want my keynote to discuss What is EPA, how it fits in to this discussion around renewable energy and the role EPA has in resiliency?

For both energy justice and EPA's role- it would be really good to know that impacts of climate pollution in New York and some general TPs on climate pollution in disadvantaged communities. It seems the agency has a lot of data on this – especially when they talk about the CPRGrants

Thanks, Lisa G

---

**From:** Frazier, Kevin O (DEC) <Kevin.Frazier@dec.ny.gov>  
**Sent:** Wednesday, April 12, 2023 2:52 PM  
**To:** Kennedy, Kit <kkennedy@nrdc.org>; Deschene, Natasha L. <Natasha.Deschene@nationalgrid.com>; Beller, Matthew <Beller.Matthew@epa.gov>; Hotchkiss, Eliza <Eliza.Hotchkiss@nrel.gov>; Rhea Jezer <rjezer@gmail.com>; Garcia, Lisa <Garcia.Lisa@epa.gov>; Seggos, Basil B (DEC) <Basil.Seggos@dec.ny.gov>; Sandbank, David A (NYSERDA) <David.Sandbank@nyserda.ny.gov>; David Wasiura <dwasiura@usw.org>  
**Cc:** Schanzenbach, Mark <MSchanzenbach@nrdc.org>; Donnelly, Suzanne (DEC) <suzanne.donnelly@dec.ny.gov>  
**Subject:** RE: [EXTERNAL] RE: Pre-Symposium meeting

Program below

***Symposium on Energy in the 21st Century***

**April 21, 2023**

**RESILIENCE AND MITIGATION**

**PREPARING FOR CLIMATE CHANGE WITH RENEWABLE ENERGY**

**7:15am-8:00am**

**BREAKFAST – NETWORKING**  
Sponsored by RAV Properties

**Pre-Symposium Videos**

**8:00am-10:15am**

**OPENING REMARKS**

**RHEA JEZER, Ph.D.**, President, Energy21  
Symposium Director

**GREETINGS & UPDATES**

**BEN WALSH**, Mayor, City of Syracuse  
**TOM DINAPOLI**, Comptroller (video)

**MATT MILLEA**, Executive Director Strategic Initiatives, SUNY ESF

**BRIDGING CLIMATE CHANGE RESILIENCE AND MITIGATION**

**ELIZA HOTCHKISS**

Senior Resilience Analyst & Group Manager  
Energy Security and Resilience Center.

NREL

**JOBS FOR THE NEW MARKET IN RESILIENCY**

**DAVE WASIURA**

Assistant to Region 4 Director  
USW

**ENERGY JUSTICE & IMPACT ON MINORITY COMMUNITIES IN RESILIENCY & JOBS**

**LISA GARCIA**

Regional Administrator District 2  
EPA

**GRID PREPARATION FOR VULNERABILITY, RESILIENCY, AND MITIGATION**

**NATASHA DESCHENE**

Vice President  
National Grid

**THE IMPORTANCE AND FUTURE OF ENERGY STORAGE**

**DAVID SANDBANK**

Vice President Distributed Energy & Clean Transportation  
NYSERDA

**ACCESSING FUNDING CLCPA & IRA (Inflation Reduction Act)**

**BASIL SEGOS**

Commissioner  
DEC

**10:30am – 12:00pm**

**MODERATED PANEL DISCUSSION**  
with all speakers

**KIT KENNEDY** *Moderator*

Senior Director, Climate &  
Clean Energy Program NRDC

**12:00pm– 12:45pm**

**LUNCH**

Sponsored by National Grid

**12:45pm – 2:00pm**

**PRESENTATION OF AWARDS**

**RHEA JEZER, Director**

**ACCEPTANCE OF AWARDS**

**NATIONAL GRID**

Melanie Littlejohn & Alberto Bianchetti

**THE FUTURE OF RENEWABLE ENERGY IN THE U.S.**

**LISA GARCIA**

Regional Administrator District 2  
EPA

**2:00pm TOUR OF (Choice) GATEWAY BUILDING or SOLAR FARM or WIND FARM**

---

**From:** Kennedy, Kit <[kkennedy@nrdc.org](mailto:kkennedy@nrdc.org)>

**Sent:** Wednesday, April 12, 2023 2:37 PM

**To:** Deschene, Natasha L. <[Natasha.Deschene@nationalgrid.com](mailto:Natasha.Deschene@nationalgrid.com)>; Beller, Matthew <[Beller.Matthew@epa.gov](mailto:Beller.Matthew@epa.gov)>; Hotchkiss, Eliza <[Eliza.Hotchkiss@nrel.gov](mailto:Eliza.Hotchkiss@nrel.gov)>; Rhea Jezer <[rjezer@gmail.com](mailto:rjezer@gmail.com)>; Garcia, Lisa <[Garcia.Lisa@epa.gov](mailto:Garcia.Lisa@epa.gov)>; Seggos, Basil B (DEC) <[Basil.Seggos@dec.ny.gov](mailto:Basil.Seggos@dec.ny.gov)>; Sandbank, David A (NYSERDA) <[David.Sandbank@nyserda.ny.gov](mailto:David.Sandbank@nyserda.ny.gov)>; David Wasiura <[dwasiura@usw.org](mailto:dwasiura@usw.org)>

**Cc:** Frazier, Kevin O (DEC) <[Kevin.Frazier@dec.ny.gov](mailto:Kevin.Frazier@dec.ny.gov)>; Schanzenbach, Mark <[MSchanzenbach@nrdc.org](mailto:MSchanzenbach@nrdc.org)>; Donnelly, Suzanne (DEC) <[suzanne.donnelly@dec.ny.gov](mailto:suzanne.donnelly@dec.ny.gov)>

**Subject:** RE: [EXTERNAL] RE: Pre-Symposium meeting

*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*

Hi, folks, I just sent an invite with this link: <https://nrdc-org.zoom.us/j/94849242187?pwd=MForbDVjcDJLQ3hoZW52dWRrSkIwdz09&from=addon>

Let's try that one!

---

**From:** Deschene, Natasha L. <[Natasha.Deschene@nationalgrid.com](mailto:Natasha.Deschene@nationalgrid.com)>

**Sent:** Wednesday, April 12, 2023 2:33 PM

**To:** Beller, Matthew <[Beller.Matthew@epa.gov](mailto:Beller.Matthew@epa.gov)>; Kennedy, Kit <[kkennedy@nrdc.org](mailto:kkennedy@nrdc.org)>; Hotchkiss, Eliza

<Eliza.Hotchkiss@nrel.gov>; Rhea Jezer <rjezer@gmail.com>; Garcia, Lisa <Garcia.Lisa@epa.gov>; Basil Seggos <basil.seggos@dec.ny.gov>; David A Sandbank <david.sandbank@nyserda.ny.gov>; Wasiura, Dave <dwasiura@usw.org>  
**Cc:** Kevin.Frazier@dec.ny.gov; Schanzenbach, Mark <MSchanzenbach@nrdc.org>; Donnelly, Suzanne (DEC) <suzanne.donnelly@dec.ny.gov>  
**Subject:** RE: [EXTERNAL] RE: Pre-Symposium meeting

I am having troubles getting into the call also

Natasha Deschene  
VP, Electric Asset Management & Engineering NY  
781-907-2455

---

**From:** Beller, Matthew <Beller.Matthew@epa.gov>  
**Sent:** Wednesday, April 12, 2023 2:33 PM  
**To:** Kennedy, Kit <kkennedy@nrdc.org>; Hotchkiss, Eliza <Eliza.Hotchkiss@nrel.gov>; Rhea Jezer <rjezer@gmail.com>; Garcia, Lisa <Garcia.Lisa@epa.gov>; Basil Seggos <basil.seggos@dec.ny.gov>; David A Sandbank <david.sandbank@nyserda.ny.gov>; Deschene, Natasha L. <Natasha.Deschene@nationalgrid.com>; Wasiura, Dave <dwasiura@usw.org>  
**Cc:** Kevin.Frazier@dec.ny.gov; Schanzenbach, Mark <MSchanzenbach@nrdc.org>; Donnelly, Suzanne (DEC) <suzanne.donnelly@dec.ny.gov>  
**Subject:** [EXTERNAL] RE: Pre-Symposium meeting

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Yes I am having the same issue with my EPA computer.

---

**From:** Kennedy, Kit <kkennedy@nrdc.org>  
**Sent:** Wednesday, April 12, 2023 2:32 PM  
**To:** Hotchkiss, Eliza <Eliza.Hotchkiss@nrel.gov>; Rhea Jezer <rjezer@gmail.com>; Garcia, Lisa <Garcia.Lisa@epa.gov>; Basil Seggos <basil.seggos@dec.ny.gov>; David A Sandbank <david.sandbank@nyserda.ny.gov>; Natasha.Deschene@nationalgrid.com; Wasiura, Dave <dwasiura@usw.org>  
**Cc:** Beller, Matthew <Beller.Matthew@epa.gov>; Kevin.Frazier@dec.ny.gov; Schanzenbach, Mark <MSchanzenbach@nrdc.org>; Donnelly, Suzanne (DEC) <suzanne.donnelly@dec.ny.gov>  
**Subject:** RE: Pre-Symposium meeting

Hi, Eliza and all, I'm getting a message from Zoom that I'm not authorized to join this call. Is anyone else having that problem? Best, Kit

-----Original Appointment-----

**From:** Hotchkiss, Eliza <Eliza.Hotchkiss@nrel.gov>  
**Sent:** Monday, April 10, 2023 5:01 PM  
**To:** Hotchkiss, Eliza; Rhea Jezer; garcia.lisa@epa.gov; Basil Seggos; David A Sandbank; Natasha.Deschene@nationalgrid.com; Kennedy, Kit; Wasiura, Dave  
**Cc:** Beller, Matthew; Kevin.Frazier@dec.ny.gov; Schanzenbach, Mark; Donnelly, Suzanne (DEC)  
**Subject:** Pre-Symposium meeting  
**When:** Wednesday, April 12, 2023 12:30 PM-1:30 PM (UTC-07:00) Mountain Time (US & Canada).  
**Where:** **Ex. 6 Personal Privacy (PP)**

**Ex. 6 Personal Privacy (PP)**

---

**From:** Rhea Jezer <rjezer@gmail.com>

**Sent:** Monday, April 10, 2023 2:58 PM

**To:** [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov); Basil Seggos <[basil.seggos@dec.ny.gov](mailto:basil.seggos@dec.ny.gov)>; David A Sandbank <[david.sandbank@nyserda.ny.gov](mailto:david.sandbank@nyserda.ny.gov)>; [Natasha.Deschene@nationalgrid.com](mailto:Natasha.Deschene@nationalgrid.com); Kennedy, Kit <[kkennedy@nrdc.org](mailto:kkennedy@nrdc.org)>; Hotchkiss, Eliza <[Eliza.Hotchkiss@nrel.gov](mailto:Eliza.Hotchkiss@nrel.gov)>; Wasiura, Dave <[dwasiura@usw.org](mailto:dwasiura@usw.org)>; Rhea Jezer <[rjezer@gmail.com](mailto:rjezer@gmail.com)>

**Cc:** Beller, Matthew <[beller.matthew@epa.gov](mailto:beller.matthew@epa.gov)>; Kevin.Frazier@dec.ny.gov; Schanzenbach, Mark <[MSchanzenbach@nrdc.org](mailto:MSchanzenbach@nrdc.org)>; Donnelly, Suzanne (DEC) <[suzanne.donnelly@dec.ny.gov](mailto:suzanne.donnelly@dec.ny.gov)>

**Subject:** Pre-Symposium meeting

**CAUTION:** This email originated from outside of NREL. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To our esteemed group:

I didn't realize booking seven such busy people to meet would be more difficult than dealing with 400 for a Symposium!

The best time for the majority to meet with Kit Kennedy for a pre-Symposium meeting is this WEDNESDAY, April 12th, at 2:30 to 3:30. I understand one or two of you cannot make that entire meeting at this time, but if you can stop in even for a while, that in itself would be helpful.

The pre-meeting with Kit has helped make our nineteen years of the Symposium so successful. We will also have the opportunity to talk somewhat the evening before the Symposium on April 20th at the private dinner. The morning of the Symposium, Kit does an awesome job with the one and a half hour panel discussion after each of you have presented for fifteen minutes. The meeting this Wednesday is very helpful for that discussion.

The zoom link is:

**Ex. 6 Personal Privacy (PP)**

Please feel free to contact me at any time. Rhea

--

*Rhea Jezer, Ph.D*

*President, Energy21*

315-727-0123

[rjezer@gmail.com](mailto:rjezer@gmail.com)

[www.energy21symposium.org](http://www.energy21symposium.org)

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For the registered information on the UK operating companies within the National Grid group please use the attached link: <https://www.nationalgrid.com/group/about-us/corporate-registrations>

Message

---

**From:** Garcia, Lisa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=59A7B30A97584935ADCD3483768ED116-GARCIA, LIS]  
**Sent:** 4/13/2023 1:07:03 PM  
**To:** Beller, Matthew [Beller.Matthew@epa.gov]  
**CC:** Mears, Mary [Mears.Mary@epa.gov]; Rodriguez, Elias [Rodriguez.Elias@epa.gov]  
**Subject:** Re: [EXTERNAL] RE: Pre-Symposium meeting

Yes and thanks. I heard Rhea ask for us to coordinate too.  
I'll reach out to him next week.

On Apr 13, 2023, at 8:40 AM, Beller, Matthew <Beller.Matthew@epa.gov> wrote:

Hi Lisa,

The follow-up item after you left was the request by Kevin Frazier who works for Basil Seggos that you and Basil connect before the conference to discuss how you will both answer questions about federal funds being distributed to NY State i.e. BIL and IRA. Kevin wants to ensure that you and Basil are on the same page regarding the appropriate federal and state roles in this process.

Rhea estimated that your afternoon keynote will start at 1:10pm. You have up to 20 mins (or less if you want) to speak and then the remainder of the time until 2pm is for audience Q&A moderated by Rhea.

Thanks,

---

**From:** Garcia, Lisa <Garcia.Lisa@epa.gov>  
**Sent:** Wednesday, April 12, 2023 6:06 PM  
**To:** Beller, Matthew <Beller.Matthew@epa.gov>  
**Cc:** Mears, Mary <Mears.Mary@epa.gov>; Rodriguez, Elias <Rodriguez.Elias@epa.gov>  
**Subject:** FW: [EXTERNAL] RE: Pre-Symposium meeting

Hi Matt:

Let me know if anything else came up on the call after I left.

Below is the agenda – run of show but

I would like to know what time exactly I am doing the keynote.

As you know they asked me to focus on energy justice- so it will be good to get the speech from Adm Regan yesterday that probably mentions the health impacts of the new rule and a transition away from dirty vehicles to EV.

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For both energy justice and EPA's role- it would be really good to know that impacts of climate pollution in New York and some general TPs on climate pollution in disadvantaged communities. It seems the agency has a lot of data on this – especially when they talk about the CPRGrants

Thanks, Lisa G

---

**From:** Frazier, Kevin O (DEC) <Kevin.Frazier@dec.ny.gov>  
**Sent:** Wednesday, April 12, 2023 2:52 PM  
**To:** Kennedy, Kit <kkennedy@nrdc.org>; Deschene, Natasha L. <Natasha.Deschene@nationalgrid.com>; Beller, Matthew <Beller.Matthew@epa.gov>; Hotchkiss, Eliza <Eliza.Hotchkiss@nrel.gov>; Rhea Jezer <rjezer@gmail.com>; Garcia, Lisa <Garcia.Lisa@epa.gov>; Seggos, Basil B (DEC) <Basil.Seggos@dec.ny.gov>; Sandbank, David A (NYSERDA) <David.Sandbank@nyserda.ny.gov>; David Wasiura <dwasiura@usw.org>  
**Cc:** Schanzenbach, Mark <MSchanzenbach@nrdc.org>; Donnelly, Suzanne (DEC) <suzanne.donnelly@dec.ny.gov>  
**Subject:** RE: [EXTERNAL] RE: Pre-Symposium meeting

Program below

***Symposium on Energy in the 21st Century***

**April 21, 2023**

**RESILIENCE AND MITIGATION**

**PREPARING FOR CLIMATE CHANGE WITH RENEWABLE ENERGY**

**7:15am-8:00am**

**BREAKFAST – NETWORKING**

**Sponsored by RAV Properties**

**Pre-Symposium Videos**

**8:00am-10:15am**

**OPENING REMARKS**

**RHEA JEZER, Ph.D.**, President, Energy21  
Symposium Director

**GREETINGS & UPDATES**

**BEN WALSH**, Mayor, City of Syracuse

**TOM DINAPOLI**, Comptroller (video)

**MATT MILLEA**, Executive Director Strategic Initiatives, SUNY ESF

**BRIDGING CLIMATE CHANGE RESILIENCE AND MITIGATION**

**ELIZA HOTCHKISS**

Senior Resilience Analyst & Group Manager

Energy Security and Resilience Center.

NREL

**JOBS FOR THE NEW MARKET IN RESILIENCY**

**DAVE WASIURA**

Assistant to Region 4 Director

USW

**ENERGY JUSTICE & IMPACT ON MINORITY COMMUNITIES IN RESILIENCY & JOBS**

**LISA GARCIA**

Regional Administrator District 2

EPA

**GRID PREPARATION FOR VULNERABILITY, RESILIENCY, AND MITIGATION**

**NATASHA DESCHENE**

Vice President

National Grid

**THE IMPORTANCE AND FUTURE OF ENERGY STORAGE**

**DAVID SANDBANK**

Vice President Distributed Energy & Clean Transportation

NYSERDA

**ACCESSING FUNDING CLCPA & IRA (Inflation Reduction Act)**

**BASIL SEGGO**

Commissioner

DEC

**10:30am – 12:00pm**

**MODERATED PANEL DISCUSSION**

**with all speakers**

**KIT KENNEDY** *Moderator*

Senior Director, Climate &

Clean Energy Program NRDC

**12:00pm– 12:45pm**

**LUNCH**

**Sponsored by National Grid**

**12:45pm – 2:00pm**

**PRESENTATION OF AWARDS**

**RHEA JEZER**, Director



ACCEPTANCE OF AWARDS  
NATIONAL GRID  
Melanie Littlejohn & Alberto Bianchetti  
THE FUTURE OF RENEWABLE ENERGY IN THE U.S.

LISA GARCIA  
Regional Administrator District 2  
EPA

**2:00pm TOUR OF (Choice) GATEWAY BUILDING or SOLAR FARM or WIND FARM**

---

**From:** Kennedy, Kit <[kkennedy@nrdc.org](mailto:kkennedy@nrdc.org)>  
**Sent:** Wednesday, April 12, 2023 2:37 PM  
**To:** Deschene, Natasha L. <[Natasha.Deschene@nationalgrid.com](mailto:Natasha.Deschene@nationalgrid.com)>; Beller, Matthew <[Beller.Matthew@epa.gov](mailto:Beller.Matthew@epa.gov)>; Hotchkiss, Eliza <[Eliza.Hotchkiss@nrel.gov](mailto:Eliza.Hotchkiss@nrel.gov)>; Rhea Jezer <[rjezer@gmail.com](mailto:rjezer@gmail.com)>; Garcia, Lisa <[Garcia.Lisa@epa.gov](mailto:Garcia.Lisa@epa.gov)>; Seggos, Basil B (DEC) <[Basil.Seggos@dec.ny.gov](mailto:Basil.Seggos@dec.ny.gov)>; Sandbank, David A (NYSERDA) <[David.Sandbank@nyserda.ny.gov](mailto:David.Sandbank@nyserda.ny.gov)>; David Wasiura <[dwasura@usw.org](mailto:dwasura@usw.org)>  
**Cc:** Frazier, Kevin O (DEC) <[Kevin.Frazier@dec.ny.gov](mailto:Kevin.Frazier@dec.ny.gov)>; Schanzenbach, Mark <[MSchanzenbach@nrdc.org](mailto:MSchanzenbach@nrdc.org)>; Donnelly, Suzanne (DEC) <[suzanne.donnelly@dec.ny.gov](mailto:suzanne.donnelly@dec.ny.gov)>  
**Subject:** RE: [EXTERNAL] RE: Pre-Symposium meeting

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Hi, folks, I just sent an invite with this link: Ex. 6 Personal Privacy (PP)

**Ex. 6 Personal Privacy (PP)**

Let's try that one!

---

**From:** Deschene, Natasha L. <[Natasha.Deschene@nationalgrid.com](mailto:Natasha.Deschene@nationalgrid.com)>  
**Sent:** Wednesday, April 12, 2023 2:33 PM  
**To:** Beller, Matthew <[Beller.Matthew@epa.gov](mailto:Beller.Matthew@epa.gov)>; Kennedy, Kit <[kkennedy@nrdc.org](mailto:kkennedy@nrdc.org)>; Hotchkiss, Eliza <[Eliza.Hotchkiss@nrel.gov](mailto:Eliza.Hotchkiss@nrel.gov)>; Rhea Jezer <[rjezer@gmail.com](mailto:rjezer@gmail.com)>; Garcia, Lisa <[Garcia.Lisa@epa.gov](mailto:Garcia.Lisa@epa.gov)>; Basil Seggos <[basil.seggos@dec.ny.gov](mailto:basil.seggos@dec.ny.gov)>; David A Sandbank <[david.sandbank@nyserda.ny.gov](mailto:david.sandbank@nyserda.ny.gov)>; Wasiura, Dave <[dwasura@usw.org](mailto:dwasura@usw.org)>  
**Cc:** Kevin.Frazier@dec.ny.gov; Schanzenbach, Mark <[MSchanzenbach@nrdc.org](mailto:MSchanzenbach@nrdc.org)>; Donnelly, Suzanne (DEC) <[suzanne.donnelly@dec.ny.gov](mailto:suzanne.donnelly@dec.ny.gov)>  
**Subject:** RE: [EXTERNAL] RE: Pre-Symposium meeting

I am having troubles getting into the call also

Natasha Deschene  
VP, Electric Asset Management & Engineering NY  
781-907-2455

---

**From:** Beller, Matthew <[Beller.Matthew@epa.gov](mailto:Beller.Matthew@epa.gov)>  
**Sent:** Wednesday, April 12, 2023 2:33 PM  
**To:** Kennedy, Kit <[kkennedy@nrdc.org](mailto:kkennedy@nrdc.org)>; Hotchkiss, Eliza <[Eliza.Hotchkiss@nrel.gov](mailto:Eliza.Hotchkiss@nrel.gov)>; Rhea Jezer <[rjezer@gmail.com](mailto:rjezer@gmail.com)>; Garcia, Lisa <[Garcia.Lisa@epa.gov](mailto:Garcia.Lisa@epa.gov)>; Basil Seggos <[basil.seggos@dec.ny.gov](mailto:basil.seggos@dec.ny.gov)>; David A Sandbank <[david.sandbank@nyserda.ny.gov](mailto:david.sandbank@nyserda.ny.gov)>; Deschene, Natasha L. <[Natasha.Deschene@nationalgrid.com](mailto:Natasha.Deschene@nationalgrid.com)>; Wasiura, Dave <[dwasura@usw.org](mailto:dwasura@usw.org)>  
**Cc:** Kevin.Frazier@dec.ny.gov; Schanzenbach, Mark <[MSchanzenbach@nrdc.org](mailto:MSchanzenbach@nrdc.org)>; Donnelly, Suzanne (DEC) <[suzanne.donnelly@dec.ny.gov](mailto:suzanne.donnelly@dec.ny.gov)>  
**Subject:** [EXTERNAL] RE: Pre-Symposium meeting

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Yes I am having the same issue with my EPA computer.

---

**From:** Kennedy, Kit <[kkennedy@nrdc.org](mailto:kkennedy@nrdc.org)>  
**Sent:** Wednesday, April 12, 2023 2:32 PM  
**To:** Hotchkiss, Eliza <[Eliza.Hotchkiss@nrel.gov](mailto:Eliza.Hotchkiss@nrel.gov)>; Rhea Jezer <[rjezer@gmail.com](mailto:rjezer@gmail.com)>; Garcia, Lisa <[Garcia.Lisa@epa.gov](mailto:Garcia.Lisa@epa.gov)>; Basil Seggos <[basil.seggos@dec.ny.gov](mailto:basil.seggos@dec.ny.gov)>; David A Sandbank <[david.sandbank@nyserda.ny.gov](mailto:david.sandbank@nyserda.ny.gov)>; Natasha.Deschene@nationalgrid.com; Wasiura, Dave <[dwasiura@usw.org](mailto:dwasiura@usw.org)>  
**Cc:** Beller, Matthew <[Beller.Matthew@epa.gov](mailto:Beller.Matthew@epa.gov)>; Kevin.Frazier@dec.ny.gov; Schanzenbach, Mark <[MSchanzenbach@nrdc.org](mailto:MSchanzenbach@nrdc.org)>; Donnelly, Suzanne (DEC) <[suzanne.donnelly@dec.ny.gov](mailto:suzanne.donnelly@dec.ny.gov)>  
**Subject:** RE: Pre-Symposium meeting

Hi, Eliza and all, I'm getting a message from Zoom that I'm not authorized to join this call. Is anyone else having that problem? Best, Kit

-----Original Appointment-----

**From:** Hotchkiss, Eliza <[Eliza.Hotchkiss@nrel.gov](mailto:Eliza.Hotchkiss@nrel.gov)>  
**Sent:** Monday, April 10, 2023 5:01 PM  
**To:** Hotchkiss, Eliza; Rhea Jezer; [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov); Basil Seggos; David A Sandbank; Natasha.Deschene@nationalgrid.com; Kennedy, Kit; Wasiura, Dave  
**Cc:** Beller, Matthew; [Kevin.Frazier@dec.ny.gov](mailto:Kevin.Frazier@dec.ny.gov); Schanzenbach, Mark; Donnelly, Suzanne (DEC)  
**Subject:** Pre-Symposium meeting  
**When:** Wednesday, April 12, 2023 12:30 PM-1:30 PM (UTC-07:00) Mountain Time (US & Canada).  
**Where** **Ex. 6 Personal Privacy (PP)**

**Ex. 6 Personal Privacy (PP)**

---

**From:** Rhea Jezer <[rjezer@gmail.com](mailto:rjezer@gmail.com)>  
**Sent:** Monday, April 10, 2023 2:58 PM  
**To:** [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov); Basil Seggos <[basil.seggos@dec.ny.gov](mailto:basil.seggos@dec.ny.gov)>; David A Sandbank <[david.sandbank@nyserda.ny.gov](mailto:david.sandbank@nyserda.ny.gov)>; Natasha.Deschene@nationalgrid.com; Kennedy, Kit <[kkennedy@nrdc.org](mailto:kkennedy@nrdc.org)>; Hotchkiss, Eliza <[Eliza.Hotchkiss@nrel.gov](mailto:Eliza.Hotchkiss@nrel.gov)>; Wasiura, Dave <[dwasiura@usw.org](mailto:dwasiura@usw.org)>; Rhea Jezer <[rjezer@gmail.com](mailto:rjezer@gmail.com)>  
**Cc:** Beller, Matthew <[beller.matthew@epa.gov](mailto:beller.matthew@epa.gov)>; Kevin.Frazier@dec.ny.gov; Schanzenbach, Mark <[MSchanzenbach@nrdc.org](mailto:MSchanzenbach@nrdc.org)>; Donnelly, Suzanne (DEC) <[suzanne.donnelly@dec.ny.gov](mailto:suzanne.donnelly@dec.ny.gov)>  
**Subject:** Pre-Symposium meeting

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To our esteemed group:

I didn't realize booking seven such busy people to meet would be more difficult than dealing with 400 for a Symposium!

The best time for the majority to meet with Kit Kennedy for a pre-Symposium meeting is this WEDNESDAY, April 12th, at 2:30 to 3:30. I understand one or two of you cannot make that entire meeting at this time, but if you can stop in even for a while, that in itself would be helpful.

The pre-meeting with Kit has helped make our nineteen years of the Symposium so successful. We will also have the opportunity to talk somewhat the evening before the Symposium on April 20th at the private dinner. The morning of the Symposium, Kit does an awesome job with the one and a half hour panel discussion after each of you have presented for fifteen minutes. The meeting this Wednesday is very helpful for that discussion.

The zoom link is:

## **Ex. 6 Personal Privacy (PP)**

Please feel free to contact me at any time. Rhea

--

*Rhea Jezer, Ph.D*

*President, Energy21*

315-727-0123

[rjezer@gmail.com](mailto:rjezer@gmail.com)

[www.energy21symposium.org](http://www.energy21symposium.org)

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**AES – Puerto Rico**  
**Prep for Call with Community Members and Dr. Carlton Waterhouse**

**June 14 Region 2/OLEM Pre-Briefing - Discussion Items**

1. Brief background (key dates below for reference)
  - a. January 11 compliance letter on CCR remedy and calls with communities
  - b. Region 2's February 17 meeting with the community
  - c. March 23, letter to Carlton Waterhouse transmitted by Nathan Park, EarthJustice
  - d. RA's trip to Puerto Rico and in-person meeting with community members on June 1<sup>st</sup>
2. Logistics for the June 23<sup>rd</sup>/24<sup>th</sup> Call with Communities
  - a. Confirmation of date and time (Proposed dates are June 23<sup>rd</sup> at 1PM and 4PM; and June 24<sup>th</sup> at 11AM and 3PM)
  - b. Participants (RA is not available on June 24<sup>th</sup>)
  - c. Simultaneous translation
  - d. Facilitation on MS Teams
  - e. Other

3. Discussion on Key Technical Issues

## **Ex. 5 Deliberative Process (DP)**

4. Approach/Structure for Meeting with Communities **Ex. 5 Deliberative Process (DP)**
  - a. Discussion on who will lead the call (we had previously proposed that OLEM leads the call since Region 2 already met with community members on February 17)
  - b. Talking points for Carlton
5. Other Matters